

MYERS DAWES ANDRAS & SHERMAN LLP  
An Intellectual Property Law Firm

DOCKET NO. COP1.PAU.02

PATENT APPLICATION

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor of an invention titled MASS PRODUCIBLE CUSTOM-MADE SHOE INSERTS, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MASS PRODUCIBLE CUSTOM-MADE SHOE INSERTS the specification of which (check one)

  x   is attached hereto

       was filed on \_\_\_\_\_

Application Serial No. \_\_\_\_\_ and was  
amended on (or amended through) \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

X

Number	Country	Day/Month/Year Filed	Yes	No
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I hereby claim priority benefits under Title 35, United States Code Sec. 119(e) of the below listed United States provisional application(s):

60/455,815

March 19, 2003

\_\_\_\_\_  
Appln. Serial No.

\_\_\_\_\_  
Filing Date

I hereby claim the benefit under Title 35, United States Code, Sections 120, 111(a) and 365(c) of any application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

03/19/2004 11:35 949-223-9610

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PATENT APPLICATION

Appn. Serial No. Filing Date Status (patented,  
pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/(We) hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: KENNETH L. SHERMAN, Registration No. 33,783, MICHAEL ZARRABIAN, Registration No. 39,856, JOSEPH C. ANDRAS, Registration No. 33,469, VIC Y. LIN, Registration No. 43,754, RICHARD MYERS, Registration No. 26,490, DANIEL DAWES, Registration No. 27,123, JOHN ELDRIDGE, Registration No. 37,613, NORMAN CARTE, Registration No. 30,455, DAVID HENTY, Registration No. 31,323, and TIMOTHY FITZWILLIAM, Registration No. 46,439, ; of

MYERS DAWES ANDRAS & SHERMAN, LLP  
19900 MacArthur Blvd., 11<sup>th</sup> Floor  
Irvine, California 92612  
Tel: (949) 223-9600

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future telephone calls and correspondence should be directed and/or addressed to Kenneth L. Sherman, Myers Dawes Andras & Sherman.

\*\*\*\*\*  
Full name of sole or first inventor: Dr. Paul Coneskey  
Inventor's signature: *Dr. Paul Coneskey* 3/18/04 Date:

Residence: 2498 Mandeville Canyon Road, Los Angeles, CA 90049

Citizenship: U.S.A.

Post Office Address: Same as above

\*\*\*\*\*  
Full name of sole or first inventor: Megan Lee

Inventor's signature: *Megan Lee* 3/18/04 Date:

Residence: 2498 Mandeville Canyon Road, Los Angeles, California 90049

Citizenship: USA

Post Office Address: Same as above

\*\*\*\*\*  
**CERTIFICATE OF MAILING BY 'EXPRESS MAIL'**

I hereby certify that this paper of fee is being deposited with the United States Postal Service on this date: 3-19-04 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV4380182905 addressed to this Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

Evelyn Menjivan  
(Type or print name of person mailing paper)

*Evelyn Menjivan*  
(Signature of person mailing paper)

R:\A-L\Coneskey, Dr. Post\COP1.PAT\02\FEC.FOA.doc

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) or Patentee(s):                      Group Art Unit: Not yet assigned

DR. PAUL COPESKEY, MEGAN LEE

Serial No.: Not yet assigned

Examiner: Not yet assigned

Filed: Herewith

For: MASS PRODUCIBLE CUSTOM-MADE SHOE INSERTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR § 1.9(f) and § 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR § 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

For:                      **MASS PRODUCIBLE CUSTOM-MADE SHOE INSERTS**

described in

☒ the specification filed herewith

☐ application Serial No. \_\_\_\_\_, filed

☐ Patent No. \_\_\_\_\_, issued

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

☒ no such person, concern or organization

☐ persons, concerns or organizations listed below\*

03/19/2004 11:35

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\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR § 1.27)

**Name****Address**

☒ Individual    ☐ Small Business Concern  
☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statements is directed.

DR. PAUL COPESEKEY  
NAME OF INVENTOR

Signature of Inventor

Date 3/18/04

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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MEGAN LEE

NAME OF INVENTOR

Megan Lee  
Signature of Inventor

Date 3/18/04

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